

REMARKS

Reconsideration and allowance of the subject application are respectfully requested.

Editorial and U.S. patent practice changes have been made to the specification and to the abstract to improve readability and form. No new matter is believed to be added. Approval and entry are requested.

Claim 13 stands rejected under 35 USC §112, second paragraph noting an inconsistency in claim dependency. That inconsistency is corrected so that claim 13 now depends from claim 9. In addition, a number of amendments have been made to the claims to improve readability and format.

Claims 1, 8, 9, 16, 17, 18, and 24 stand rejected under 35 USC §102(b) for anticipation based on Jennings. In this amendment, claim 1 now incorporates the subject matter of claim 2, claim 9 the subject matter of claim 10, and claim 18 the subject matter of claim 19. This amendment renders this rejection moot. Withdrawal is respectfully requested.

Claims 2, 10, and 19 stand rejected under 35 USC §103 as being unpatentable over Jennings in view of Lee. This rejection is respectfully traversed.

Claims 1, 9, and 18 are directed to determining the multimedia capabilities of two user terminals when a voice call is set up between the terminals. More specifically, the claims relate to determining the matching multimedia capabilities of two user terminals when a voice call is initiated and informing the user terminals of those matching multimedia capabilities. The multimedia capabilities of the user terminals are determined by sending a capability request to a terminal capability database in which the multimedia capabilities are stored.

Jennings, on the contrary, describes in step 604 in figure 6 that a communication system checks if a phone of a calling party (A) is multimedia enabled, e.g., by querying the phone, and sending a multimedia interface (MMI) to calling party A if the phone is multimedia enabled. Consequently, the phone of the calling party A will not receive any MMI if it is a circuit-switched phone. Lee only describes that a serving network may retrieve the capabilities of a user terminal from a database, or by querying the terminal, see column 17, lines 19-21.

Thus, the subject matter of the amended independent claims differs from the disclosure of Jennings and Lee in that the multimedia capabilities are determined for the user terminals of both a calling party and a called party. Thereafter, the discovered multimedia capabilities of the two user terminals are compared and matched such that the user terminals may be informed of matching multimedia capabilities. The subject matter of the amended independent claims also differs from Jennings and Lee in that the multimedia capabilities of the user terminals are determined by sending of a capability request to a terminal capability database, in which the capabilities are registered, and analyzing the response in order to find any matching multimedia capabilities.

Thus, even if a person having ordinary skill in the art would have combined the teachings of Jennings with the teachings of Lee, that person would not have arrived at the solution according to the subject matter of the independent claims.

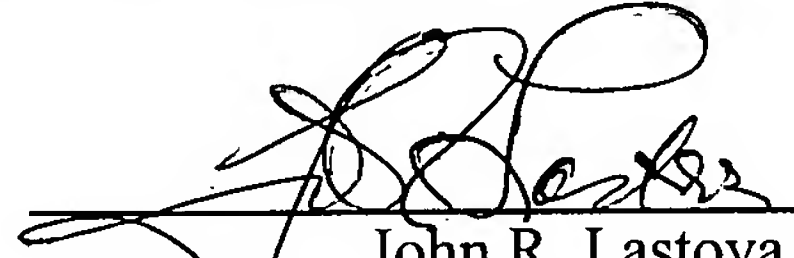
Accordingly, the application is in condition for allowance. An early notice to that effect is earnestly solicited.

SKOG et al
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Respectfully submitted,

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